

1 Larry Richards, Pro Se, In Propria Persona, Counsel of Record for the Plaintiff Larry Richards and IF APPOINTED  
 2 PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT: Ms. Georgeana K. Roussos, Attorney-At-Law;  
 (415) 252-1922; The Roussos Law Firm, 77 McAllister, Second Floor, San Francisco, California 94102

08 APR 29 PH 3:59

3 RICHARD W. WICKING  
 4 UNITED STATES DISTRICT COURT  
 5 FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-filing

6 NORTHERN DISTRICT OF CALIFORNIA

7 Larry Richards, Pro Se, In Propria Persona,  
 8 2625 Alcatraz Avenue #317, Berkeley,  
 9 California 94705-2702, AND IN CARE OF:  
 10 Ms. Georgeana Roussos, 77 McAllister, Second  
 11 Floor, San Francisco, California 94102,  
 12 Plaintiff, Pro Se,

13 Vs.

14 1.) MICHAEL J. ASTRUE, COMMISSIONER,  
 15 Social Security Administration, And  
 16 2. -50.) DOE(S) defendants, named, unknown  
 17 persons, In Care Of: UNITED STATES  
 18 ATTORNEY, Attention: Social Security  
 19 Defense Attorney, 450 Golden Gate, San  
 20 Francisco, California 94102,  
 21 Defendants, Et. Al.

22 Case No.: **CV-08-1532 PJH?**  
 23 **OR SBA ?**

24 Pro Se Plaintiff Larry Richards'

**EX PARTE MOTION**

25 **FOR THE COURT TO IMMEDIATELY  
 26 APPOINT A SECOND ATTORNEY  
 27 PURSUANT TO THE EQUAL ACCESS TO  
 28 JUSTICE ACT 5 USC §§ 504 AND 554 *inter  
 alia*. FOR THE CIVIL RIGHTS PORTION  
 OF THIS CASE.**

As plaintiff has previously written and moved in  
 his previously filed "BETTER  
 EXPLANATIONS OF COMPLAINT;  
 ADDITIONS TO COMPLAINT; AND BRIEF  
 OF ORAL ARGUMENTS AT HEARING IN  
 SUPPORT OF A TEMPORARY  
 RESTRAINING ORDER"

**Plaintiff's EXPARTE MOTION FOR 5 USC§§504/554 APPOINTMENT OF ATTORNEY:**

17 **COMES NOW**, the Pro Se, In Propria Persona, Plaintiff Larry Richards and HEREBY,  
 18 MOVES this Honourable Court to Immediately, PURSUANT to the EQUAL ACCESS TO  
 19 JUSTICE ACT 5 USC Sections 504 and 554 *inter alia*, TO EITHER AGREE TO APPOINT an  
 20 as yet unnamed Civil Rights Attorney or simply select and appoint any Civil Rights Attorney as  
 21 my CIVIL RIGHTS/FRAUD Attorney to the Civil Rights/Fraud portions of this case-at-bar in  
 22 accordance with the evidence offered by the Pro Se Plaintiff in both his "BETTER  
 23 EXPLANATIONS OF COMPLAINT; ADDITIONS TO COMPLAINT; AND BRIEF OF  
 24 ORAL ARGUMENTS AT HEARING IN SUPPORT OF A TEMPORARY RESTRAINING  
 25 ORDER" at page 5, and his MOTION FOR LENIENCY of all rules, timelimits due to severe  
 26 disability of the Plaintiff, both previously filed on April, 24<sup>TH</sup>, 2008.

1 Plaintiff HAS NOT discussed this matter with any Civil Rights Attorney because he  
2 cannot pay one, BUT IF THE COURT WILL APPROVE THIS MOTION, the odds of Plaintiff  
3 being able to find a Civil Rights Attorney willing to serve KNOWING IN ADVANCE THAT  
4 she or he will be PAID pursuant to the Equal Access to Justice Act should make the process of  
5 finding said attorney more likely. Or in the alternative if the Court were to select and appoint a  
6 noteworthy affirmative Civil Rights Attorney to at least temporarily serve – at least until we {the  
7 Court, and the Plaintiff} could locate a permanent replacement **if he is paid for his time**  
8 **PURSUANT to the EQUAL ACCESS TO JUSTICE ACT, 5 USC §§ 504 and 554 inter alia,**  
9 **such an action would benefit the Court as well as the Plaintiff.**

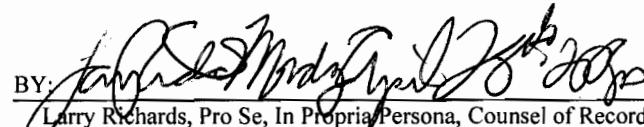
10  
11 However due to the complexity of this case the Pro Se Plaintiff ALSO MOVES that this  
12 Honourable Court ALSO ALLOW Plaintiff Larry Richards to also speak as there are many  
13 events the Pro Se Plaintiff has handled over the last 22 ½ years of this case which the Civil  
14 Rights attorney cannot possibly know and there is not enough time to cover it all in explaining  
15 this case to him or her.

16  
17 Plaintiff also reminds this Honourable Court of the difficulties in this case in that the  
18 Plaintiff CANNOT open a NEW SSDI/SSI APPLICATION and have ANY ATTORNEY, even  
19 though he or she is certainly a well qualified Attorney, named as the Attorney of Record for that  
20 NEW APPLICATION, because under the Rules of the Social Security Administration the very  
21 act of opening a NEW APPLICATION AUTOMATICALLY INVOKES RES JUDICATA  
22 thereby destroying the REPRESENTATIONS of the SSA Defendants to go back to the January  
23 6<sup>th</sup>, 1987 Request for Reconsideration and correct their errors and pay the Plaintiff his  
24 Backpayments and Current Payments. THEREFORE ANY CIVIL RIGHTS ATTORNEY  
25  
26  
27  
28

1 MUST BE APPOINTED PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 5 USC  
2 §§ 504 and 554 *inter alia*.  
3  
4

5 **RESPECTFULLY SUBMITTED:**

6 Signed, Sworn, and Dated in San Francisco, California on this  
7 Monday, the 21<sup>st</sup> day of April, in the 2008<sup>th</sup> year of our Lord.  
8

9   
10 BY: Larry Richards  
11 Larry Richards, Pro Se, In Propria Persona, Counsel of Record for the  
12 Plaintiff: Larry Richards and IF APPOINTED PURSUANT TO THE  
13 EQUAL ACCESS TO JUSTICE ACT: Ms. Georgeana K. Roussos,  
14 77 McAllister, Second Floor; San Francisco, California 94102  
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